

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

GREGORY ROYAL,

Plaintiff,

v.

COBRA LEGAL SOLUTIONS, LLC and  
PAULA DIAZ

Defendants.

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1:21-CV-1079-DII

**ORDER**

Plaintiff filed his complaint in this action with this Court on November 29, 2021. (Dkt. 1). To date, however, there is no indication that Plaintiff has served Defendants with the complaint and summons. “If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). Well over than 90 days have passed since Plaintiff filed his complaint.

On May 8, 2023, the Court ordered Plaintiff to show cause as to why his claims should not be dismissed under Rule 4(m) on or before June 8, 2023. (Dkt. 8). Although Gregory moved to extend this time until August 12, 2023, (Dkt. 16), he has still not served Defendants or taken any other action to advance this litigation. Because Plaintiff has not shown good cause to extend his deadline to serve Defendant, the Court must dismiss this action under Rule 4(m). Fed. R. Civ. P. 4(m).

**IT IS THEREFORE ORDERED** that this action is dismissed without prejudice under Federal Rule of Civil Procedure 4(m).

**SIGNED** on October 23, 2023.

A handwritten signature in blue ink, appearing to read "R. Pitman", is written above a horizontal line.

ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE